

2 Sutton Asks W. Side Apartment Hearing Delay

By ROBERTA B. STAVY

Announced through President Percy Sutton has asked the Board of Standards and Appeals to postpone until after the summer a public hearing on the controversial variance request of a West

Side builder.

A second public hearing is scheduled Tuesday on the request by developer Paul Milstein to build what would be the West Side's largest new luxury apartment tower on the east side of Broadway

between 62d and 63d Sts., across from Lincoln Center. Milstein is seeking permission to build an apartment house 50 per cent larger than the area's zoning regulations allow.

"A hearing during the

height of the summer vacation period cannot be . . . adequate," Sutton wrote the board this week. "People whose environment would be affected by the proposed variance will not be in the city to become aware of the issues involved or to testify as to their opinions."

The proposed tower is just south of another Milstein building at One Lincoln Plaza which since completion in 1971 has been a source of design and size controversy.

The Plaza is located within the Lincoln Square zoning district created by the city to encourage good design, store arcades and other amenities. The district is bounded roughly by 60th and 68th Sts., Amsterdam Av. and Central Park W.

Sutton's letter said a full hearing was important because "the variance sought would, if granted, have a major impact on the future development of the Lincoln Square area, and indeed, on the future implementation of other special zoning districts."

Under the special district regulations, the proposed building would be allowed a Floor Area Ratio of 14.4, including bonus space given a builder for providing special amenities. The FAR is the amount of floor area allowed in relation to the size of the building lot.

One Lincoln Plaza has a ratio of 16.9 because construction was in the works

before the special district was created.

Milstein is seeking a 21.6 FAR for the new building, "the maximum allowable bulk that can be granted for any residential building in the city," a city Planning Commission spokesman says.

Frank Baraff, an assistant to Sutton, said of his request for a hearing: "This is a matter of very high urgency. It will affect the future development of all of the West Side and it also raises the question of whether the special zoning districts can survive if they can be easily by-passed."

The board first held a public hearing June 24. Since then citywide groups such as the Municipal Art Society and the New York chapter of the American Institute of Architects have joined local organizations in opposition. This week West Side Planning Board No. 7 voted, 25 to 3, to oppose the variance.

According to Charles G. Moerdler, a former Buildings Commissioner and Milstein's lawyer, the variance is necessary because of "hardship" produced in part from the economics of construction and land costs and in part because of the limits imposed by the special district regulations.

Four other apartment houses are currently under construction in the district, all meeting zoning requirements.

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